

## **Bill Summaries as of January 18, 2005**

### **SB 3**

Defines racial profiling and makes it unlawful for any law enforcement officer or agency to engage in racial profiling. Complaints may be filed with the Kansas Human Rights Commission, who shall forward a copy to the arresting officer's employer. The employer shall investigate the complaint for purposes of disciplinary action or a criminal violation.

### **SB 24**

Open Records Act

- Opens documents relating to the appointment of persons to fill a vacancy in an elected office.
- Opens records of donations to public agencies that compensate a specific public employee.

### **SB 26**

Changes legal public holidays effective January 1, 2006:

- Removes Lincoln's Birthday (February 12) and Washington's Birthday (3<sup>rd</sup> Monday in February).
- Adds Martin Luther King, Jr. Day (3<sup>rd</sup> Monday in January) and President's Day (3<sup>rd</sup> Monday in February).

### **HB 2001**

Creates Kansas Health Care Commission for the purpose of providing a single, publicly financed statewide insurance program that provides statewide health insurance coverage for all state residents.

- Commission administered by 21-member board of governors who shall be paid per K.S.A. 75-3223. The Governor shall appoint the executive director
- Kansas Health Care Commission will develop and implement the Kansas health care plan.
- Board of governors' functions include:
  - establish budget and policy guidelines
  - establish fee schedules
  - monitor plan operation
  - report annually to Governor and Legislature and recommend any changes in insurance and health care law
  - employ and supervise staff
  - appoint 11-member health services subcommittee

The bill contains a copayment schedule for individuals receiving covered services. Levies taxes to provide revenue for the health care plan that includes a health premium surcharge on employers, self-employed persons; a premium tax on insurers, health services corporations, or health maintenance organizations; taxes on interest or dividends of state residents; and an additional surcharge on Kansas taxable income of resident individuals.

### **HB 2008**

No state agency shall award a public works or purchase contract to a bidder, contractor or employer who has been convicted for employing illegal aliens.

### **HB 2011**

Employment security law – Establishes notification requirements for an employer who lays off or separates any individual because work will be performed outside of the United States. Specifically identifies the state and its political subdivisions and defines 'State' to include an institution of higher learning. Exclusions from the definition of 'employee' include: managerial, executive, or person privy to confidential matters involving the employer-employee relationship.

### HB 2013

Identifies statutes that are exceptions to the Open Records Act as certified on June 1, 2004.

### HB 2020

Allows the Board of Regents to authorize any state institution of higher education to convert all classified staff employee positions to the unclassified service.

- Employees retain all health, flexible benefits, leave and retirement benefits. Implementation shall not cause a salary reduction or layoff.
- Each institution shall develop a system for administering all other aspects of employment for these employees
- Newly designated unclassified employees shall be referred to as 'university support staff'
- KU Medical Center shall be considered a state institution of higher education separate from the University of Kansas

### ERO 33

Establishes the Division of Health Policy and Finance within the Department of Administration effective July 1, 2005, unless disapproved by either legislative house..

- The Governor shall appoint and set the salary of an unclassified Director of Health Policy and Finance.
- The Director shall coordinate health care planning, administration, and purchasing and analysis of health care data for Kansas for the following health care programs:
  - The Kansas program of medical assistance established in accordance with title XIX of the Social Security Act (Medicaid).
  - Health benefits program for children under K.S.A. 38-2001 (established under title XXI of the Social Security Act).
  - Medical assistance for needy persons financed by state funds only.
  - Any other health care programs delegated by the Governor or by memorandum of understanding with another state agency.

(According to the Governor's ERO message, transferred medical services will include Medicaid, MediKan, and HealthWave from SRS; State Employee Health Plan already within Dept. of Administration; and administration of Health Care Data Governing Board from Dept. of Health and Environment.)

- The Director shall advise the Governor and Legislature on all health care programs, policies, and plans under this order.
- Director shall hire classified employees as needed.
- Director may enter into memorandums of understanding with state or local agencies for the agency to perform services for the Division or for the Division to delegate administration of certain functions, services, or programs to the agency. An agency's delegated authority does not include changing or disapproving any administrative decision or application of policies, rules, and regulations made by the Division.
- Director shall establish advisory groups as necessary including a consumer advisory board and a policy coordination board.

Renames the Department of Social and Rehabilitation Services as the Department of Human Services effective July 1, 2005, and transfers the above agency functions to the newly created Division.

- Employees who are engaged in the exercise and performance of the powers, duties and functions transferred will transfer on July 1, 2005, or on a later date or dates determined by the Secretaries of SRS and Administration.
- Employees who are determined by the Secretaries to perform related administrative, technical, or other support services will transfer on July 1, 2005, or on a later date or dates determined by the Secretaries of SRS and Administration.

- Employees will transfer with continuous service and retain retirement benefits and leave balances. Classified employees retain their classified status.
- Secretary of Administration may convert vacant classified positions to positions that are not classified.
- Any subsequent transfers, layoffs, or abolition of classified service positions shall be made in accordance with civil service laws.